

Similarly, the Examiner has objected to applicants' characterization of the subject application as a continuation of U.S. Patent Appln. Serial No. 08/381,828, asserting that “[s]ince regenerating the treatment material such that the hydrophobic substance is not freed therefrom is not present in the disclosure of Application Serial No. 08/381,828, the instant application cannot be a proper ‘continuation’ of the prior application.” (*See* Office Action at page 3.)

Finally, the Examiner has rejected Claims 1-13 as obvious under 35 U.S.C. §103(a) over WO 94/03249 (WO 94/03249 is the International Publication Number of International Application Number PCT/EP93/02029, from which U.S. Patent Appln. Serial No. 08/381,828 claims priority). According to the Examiner, “since the concept of regenerating the treatment material such that the hydrophobic substance is not freed therefrom was first presented in the abstract and claims of this application, claims 1-13 are only entitled to the benefit of the filing date of this application (i.e. March 29, 2001); and therefore, WO 94/03249, having a publication date of February 17, 1994, is deemed to be available as prior art against these claims.” (*See* Office Action at page 3.)

The above rejections and objection are respectfully traversed. Pages 2-3 of the specification of the present application, the parent application (U.S. Patent Appln. Serial No. 08/381,828) and the priority application (as set forth in WO 94/03249) all describe liquid hydrophobic immobilised materials, which “should be virtually insoluble in the aqueous solution to be extracted and be so immobilised in the porous material that it cannot flow from the porous structure.” Clearly, the above-cited language describes a treatment material possessing a hydrophobic substance which is not freed therefrom.

Moreover, Example II (page 7, lines 30-32), Example III (page 8 line 33 - p. 9, line 1) and Example IV (page 9, lines 30-31) of the present application, U.S. Patent Appln. Serial No. 08/381,828, and WO 94/03249, each describe columns comprising the composition of the invention, and note that the efficiency of the columns remained unchanged after the consecutive loading and regeneration of the columns. These Examples clearly disclose regenerating the treatment material and, as the efficiency of the column is unchanged, the hydrophobic substance must remain in the treatment material.

Similarly, Example V (page 11, lines 8-10) in the present application, U.S. Patent Appln. Serial No. 08/381,828 and WO 94/03249 each note that after regeneration, columns containing the composition of the invention retained 30 kg of xylene as extractant. Clearly, this Example discloses the regeneration of the treatment material such that the hydrophobic substance is not freed therefrom.

Accordingly, and contrary to the Examiner's assertions that the specification is not enabling, the present specification does, in fact, describe regenerating the treatment material such that the hydrophobic substance is not freed therefrom. Therefore, applicants respectfully submit the present specification does comply with the requirements of 35 U.S.C. §112, first paragraph.

Moreover, as the same Examples and the same description of the immobilization of hydrophobic substances is, in fact, present in both the subject application and U.S. Application Serial No. 08/381,828, the subject application is a proper "continuation" of the prior application.

Finally, as the same Examples and the same description of the immobilization of hydrophobic substances is, in fact, present in the subject application and WO 94/03249,

WO 94/03249 is *not* available as prior art against the present claims under 35 U.S.C. §103(a).

In view of the foregoing, reconsideration and allowance of Claims 1-13 is requested.

Respectfully submitted,



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